

Exhibit B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

This Document Relates to All Actions

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/03/2014

14-MD-2543 (JMF)

14-MC-2543 (JMF)

ORDER NO. 20

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JESSE M. FURMAN, United States District Judge:

[Regarding the Phase One Discovery Plan]

Defendants and Lead Counsel for the Multidistrict Litigation (“MDL”) 2543 Plaintiffs
having consented thereto, and for good cause shown,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that discovery in Phase One
shall proceed as follows.

1. *The Phase One Recalls.* The scope of Phase One Discovery shall be limited to
NHTSA Recall Campaign Numbers 14V346, 14V355, 14V394, 14V400, 14V490, 14V540, and
14V153 (the “Phase One Recalls”).

2. *Scope of Document Production.* For each of the Phase One Recalls, General Motors
LLC (“New GM”) shall search for and produce copies of non-privileged (including non-work
product) documents located as a result of New GM’s searches as follows:

- a. Documents that are responsive to the 47 categories described on Attachment A
hereto; and
- b. Documents relating to each of the Phase One Recalls from the custodial files of (i)
the New GM Product Investigation Engineer with principal responsibility for each
of the Phase One Recalls; (ii) the members of New GM’s Safety and Field Action

Decision Authority (“SFADA”) and/or the Executive Field Action Decision Committee (“EFADC”) for each of the Phase One Recalls; and (iii) Ray DeGiorgio and Gary Altman. New GM shall work with Lead Counsel to develop agreed-upon search terms for these custodians and topics.

3. *Timing and Sequencing of Production.* New GM shall begin a rolling production of Phase One Discovery documents by December 22, 2014, and will make reasonable efforts to substantially complete its production by May 5, 2015. New GM shall make reasonable efforts to prioritize the production of documents identified in categories 45 and 46 of Attachment A, to the extent such prioritization will not hinder or delay the Phase One discovery process.

4. *Privilege Logs.* New GM shall identify on a privilege log any document withheld from Phase One Discovery on the basis of a claim of attorney-client privilege, work product, or any other claim of privilege or immunity from discovery by July 1, 2015. With the exception of timing, the Phase One privilege log requirements and parameters shall be governed in all respects by Order No. 10 ¶ 11 (Dkt. 294).

5. *Customer Complaint Databases.* As part of Phase One Discovery, New GM shall:
- a. Provide a written explanation of the following New GM databases containing, and which are used for querying, customer complaints: (i) the New GM Customer Assistance Center database; (ii) the New GM Technical Assistance Center database; and (iii) the New GM Warranty database (collectively, the “Customer Complaint Databases”); and
 - b. Search for and produce New GM user manuals, if any, for the Customer Complaint Databases.

6. Plaintiffs shall not serve any additional document requests relating to the Customer Complaint Databases prior to March 6, 2015. New GM reserves the right to object to any such requests for production. If the parties cannot resolve any issues through good faith meet-and-confers, any remaining disputes will be decided by the Court.

7. If Plaintiffs seek a deposition of New GM pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure regarding the Customer Complaint Databases, Plaintiffs shall not do so until (i) 90 days after they have received New GM's written description of the Customer Complaint Databases (paragraph 5(a), above); and (ii) after the parties have met and conferred in good faith to resolve any open issues regarding New GM's written description. New GM reserves the right to object to any Rule 30(b)(6) deposition notice served by Plaintiffs, including on the grounds that New GM's written description of the Customer Complaint Databases is adequate. If, despite good faith efforts, the parties cannot resolve a dispute concerning a Rule 30(b)(6) deposition notice, they must submit to the Court a joint letter describing the issue, which the Court will decide.

8. *Effect on Outstanding Requests for Production.* After the completion of Phase One Discovery, the parties will meet and confer regarding the timing and nature of any additional responses to outstanding discovery. Until that time, New GM is not required to provide written responses and/or objections to, or to produce additional documents responsive to, the following Requests for Production of Documents (collectively, the "Requests") served by Plaintiffs in MDL 2543:

- a. September 23, 2014 Personal Injury Requests for Production;
- b. October 2, 2014 Economic Loss Requests for Production;
- c. October 8, 2014 Personal Injury Second Requests for Production; and
- d. October 30, 2014 Personal Injury Third Requests for Production.

9. In producing documents in accordance with the Phase One Discovery Plan, New GM does not represent that it is producing all documents responsive to Plaintiffs' Requests. New

GM's production of documents in accordance with the Phase One Discovery Plan is made without waiving its rights to object to Plaintiffs' Requests on the basis of privilege, burden, scope, or any other appropriate ground.

10. *Preliminary Injunction.* Plaintiffs reserve the right to seek discovery and depositions during Phase One in aid of any motion for a preliminary injunction. New GM reserves the right to object to Plaintiffs' discovery requests.

SO ORDERED.

Dated: November 3, 2014
New York, New York



JESSE M. FURMAN
United States District Judge

Attachment A

**ATTACHMENT A
TO PROPOSED ORDER REGARDING PHASE ONE DISCOVERY PLAN**

GM No.	Proposed Documents
1	NHTSA Rule 573 letter(s)
2	Owner's manual
3	Service manual
4	Program Plan Book and/or Program Plan Content
5	Representative advertising, product sales brochures, and marketing materials
6	Evaluation Reports relative to Passenger Vehicle General Durability Test
7	Test procedures for the applicable Passenger Vehicle General Durability Test
8	Safety Goals presentations and Safety Performance presentations, or Safety Strategy Report(s)
9	Statement of Requirements (SOR) package, if any, for the following <ul style="list-style-type: none"> – Ignition switch – Ignition key – Lock set – Transmitter or UID
10	Build Books (in paper and/or electronic format) associated with vehicles tested per the passenger Vehicle Durability Test
11	Electrical Content Overview documentation applicable to the ignition switch
12	Product Assembly Documents (PADs) and/or Master Process Plans (MPPs) applicable to the following components <ul style="list-style-type: none"> – Instrument panel; – Ignition cylinder; and – Ignition key
13	Engineering analysis reports (EA) <ul style="list-style-type: none"> – Ignition switch; – Ignition key
14	Engineering evaluation reports (ER) reflecting the engineering information obtained from physical testing technology applicable to the ignition switch

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GM No.	Proposed Documents
15	Engineering design information describing the geometry of the following components <ul style="list-style-type: none"> – Layout(s) and/or Design Drawing(s) applicable to the ignition switch; – Layout(s) and/or Design Drawing(s) applicable to the ignition key; – Assembly drawings applicable to the ignition switch; and – Assembly drawings applicable to the ignition key
16	SSTS (Subsystem Technical Specifications) related to the following <ul style="list-style-type: none"> – Ignition switch; and – Ignition key
17	Component Technical Specifications (CTS) related to the following <ul style="list-style-type: none"> – Ignition switch – Ignition key – Lock set – Transmitter or UID
18	Materials from non-developmental performance testing, if any, of the following <ul style="list-style-type: none"> – Ignition switch; and – Ignition key
19	Component-level testing related to the ignition switch
20	FMVSS 101 compliance summaries and referenced materials
21	FMVSS 102 compliance summaries and referenced materials
22	FMVSS 114 compliance summaries and referenced materials
23	General Motors Test Procedures for FMVSS 101
24	General Motors Test Procedures for FMVSS 102
25	General Motors Test Procedures for FMVSS 114
26	Analysis/Development/Validation Plan & Report related to the ignition switch
27	Production Part Approval Process (PPAP) documentation, including any developmental validation (DV) and production validation (PV) test reports related to the ignition switch
28	Commodity Validation Sign Off documentation related to the ignition switch
29	Part Submission Warranty related to the ignition switch

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GM No.	Proposed Documents
30	<p>Failure Mode Effects Analysis (FMEA) and/or Design Failure Mode Effects Analysis (DFMEA) and/or Process Failure Mode Effects Analysis (PFMEA) and/or Design Review Based on Failure Modes (DRBFM) applicable to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
31	<p>Communications between GM and the ignition switch supplier related to the design, development, and performance of the following components</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
32	<p>Technical Service Bulletins (TSB) applicable to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
33	<p>Preliminary Information (PI) bulletins applicable to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
34	<p>Internal investigation files including the files generated by the Safety Field Investigations (SFI), Field Performance Evaluation (FPE) or Product Performance Evaluation Committee (PPEC), applicable to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
35	<p>Information Requests (IRs) and GM responses to NHTSA applicable to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
36	<p>Communications with NHTSA applicable to the following</p>

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GM No.	Proposed Documents
	<ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
37	<p>Test Incident Reports (TIRs), Project Incident Monitoring and Resolution Process (PIMREP), and Problem Resolution Tracking System reports (PRTS), applicable to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
38	<p>Meeting minutes related to the design, development and performance of the following components</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
39	<p>Change Request / Decision Notices related to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
40	<p>Engineering Work Orders (EWO) for the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
41	<p>Test Work Orders (TWO) for the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
42	<p>Build Work Orders (BWO) for the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder

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GM No.	Proposed Documents
43	<p>Materials presented to the Vehicle and Process Integration Review (VAPIR) committee related to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
44	<p>Materials presented to the Current Production Improvement Team (CPIT) related to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
45	<p>Materials presented to the Safety and Field Action Decision Authority (SFADA) related to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
46	<p>Materials presented to the Executive Field Action Decision Committee (EFADC) related to the following</p> <ul style="list-style-type: none"> – Ignition switch; – Ignition key; and – Lock cylinder
47	<p>The following materials</p> <ul style="list-style-type: none"> – CTF. Captured Test Fleet, which contains information relating to reports from drivers of GM company cars – Other Field Reports. Third-party field reports collected for TREAD reporting purposes: <ul style="list-style-type: none"> CVEP <ul style="list-style-type: none"> a. EQF b. Reports from JD Powers c. Field Performance Reports (FPR) d. Overdrive e. ESIS – List of lawsuits & not-in-suit matters (NISM)s – VOQ. Vehicle Owner Questionnaires